

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN COLEMAN,

No. C-08-3921 EMC

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary,
Department of Homeland Security,

Defendant.

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION
OR RELIEF FROM JUDGMENT; AND
DEEMING PLAINTIFF'S LETTER AS
NOTICE OF APPEAL (Docket #7)**

Previously, the Court granted Plaintiff John Coleman's application to proceed *in forma pauperis* but dismissed the action for failure to state a claim for which relief may be granted. More specifically, the Court held that Mr. Coleman's lawsuit was barred by the doctrine of res judicata. Mr. Coleman has now filed with the Court a letter, dated October 15, 2008. In his letter, Mr. Coleman makes various arguments as to the merits of his claim but does not address the Court's conclusion that his cases is precluded on the grounds of res judicata.

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1 To the extent that Mr. Coleman is asking the Court to reconsider its prior order or to give
2 him relief from the judgment, the request is **DENIED**. The Court, however, shall deem Mr.
3 Coleman's letter as a notice of appeal.

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5 IT IS SO ORDERED.

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7 Dated: October 18, 2008

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10 EDWARD M. CHEN
11 United States Magistrate Judge
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NORTHERN DISTRICT OF CALIFORNIA

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Plaintiff,

v.

CERTIFICATE OF SERVICE

MICHAEL CHERTOFF, Secretary,
Department of Homeland Security,

Defendant.

I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District of California. On the below date, I served a true and correct copy of the attached, by placing said copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle located in the Office of the Clerk.

John W. Coleman
P.O. Box 996
Alameda, CA 94501

(also enclosed court notice re Legal Help Center)

Dated: October 20, 2008

RICHARD W. WIEKING, CLERK

By: 

Betty Fong
Deputy Clerk